

State Water Resources Control Board

Division of Drinking Water

June 28, 2017

System No. 5500089

Mr. Brian Anderluh, Owner
Evergreen Lodge Water System
33160 Evergreen Road
Groveland, CA 95321

RE: Citation No. 03-11-17C-022 – Use of Unapproved Source and Noncompliance with Meeting Source Capacity Requirements

Dear Mr. Anderluh:

Enclosed is a Citation issued to the Evergreen Lodge (hereinafter "Water System") public water system.

The Water System will be billed at the State Water Resources Control Board's (hereinafter "State Board") hourly rate for the time spent on issuing this citation. California Health and Safety Code, Section 116577, provides that a public water system must reimburse the State Board for actual costs incurred by the State Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. The Water System will receive a bill sent from the State Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the Water System for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued by the Deputy Director of the Division of Drinking Water under Article 8 (commencing with Health and Safety Code, Section 116625) or Article 9 (commencing with Health and Safety Code, Section 116650), of the Safe Drinking Water Act (Chapter 4, Part 12, Division 104, of the Health and Safety Code) may file a petition with the State Water Board for reconsideration of the citation, order or decision. Appendix 1 to the enclosed compliance order contains the relevant statutory provisions for filing a petition for reconsideration. (Health and Safety Code, Section 116701).

Petitions must be received by the State Board within 30 days of the issuance of the citation, order or decision by the Deputy Director. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

Mr. Anderluh
June 28, 2017
Page 2

If you have any questions regarding this matter, please contact Shavonne Conley of my staff or me at (559) 447-3306.

Sincerely,



Kassy D. Chauhan, P.E.
Senior Sanitary Engineer, Merced District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

KDC/SLC
Enclosures

Certified Mail No.: 7016 3010 0000 0446 2758

cc: Tuolumne County Environmental Health Department
Mr. Jim Robichaud, 12015 Breckenridge Road, Groveland, CA 95321

**STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER**

IN RE: EVERGREEN LODGE WATER SYSTEM
Water System No.: 5500089

TO: Mr. Brian Anderluh, Owner
Evergreen Lodge
33160 Evergreen Road
Groveland, CA 95321

CC: Tuolumne County Environmental Health Department

**CITATION FOR VIOLATION OF
CALIFORNIA HEALTH AND SAFETY CODE SECTION 116550(a) CHANGES REQUIRING
AMENDED PERMIT; CALIFORNIA WATERWORKS STANDARDS SECTIONS
64554(a) (2) AND (3) SOURCE CAPACITY, AND SECTION
64556(a) (3)(A) PERMIT AMENDMENTS**

**September and October 2016, June 2017
Issued on June 28, 2017**

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to the Evergreen Lodge Water System (hereinafter "Water System") located along Highway 120 east of the community of Groveland,

1 CA for violation of the California Health and Safety Code Section 116550(a), California Code of
2 Regulations (CCR), Title 22, Sections 64556(a)(3)(A) and 64554 (a)(2) and (3).

3
4 **APPLICABLE AUTHORITIES**

5 The applicable statutes and regulations are provided in Attachment A, attached hereto and
6 incorporated by reference.

7
8 **STATEMENT OF FACTS**

9 The Water System has in the past been classified as a transient-noncommunity water system
10 serving a population of approximately 225 persons through sixty-eight (68) service connections.
11 In addition to the cabins, for the transient population, the Water System also can provide water
12 to the restaurant kitchen, and general store. The Water System currently operates under a
13 revised water supply permit (03-11-15P-062) issued by the Division on September 16, 2015.
14 There are 25 or more full time employees that live at Evergreen Lodge more than six months
15 out of the year, which means that the Water system is a community water system rather than a
16 transient-noncommunity water system. On June 8, 2017, the Tuolumne County Building Division
17 officials made the Division aware that the Water System owners have purchased a property for
18 employee housing (for approximately 15 to 16 employees) but additional staff would be hired to
19 live on the Evergreen Lodge property. Therefore, the number of employees living at Evergreen
20 Lodge would relatively stay the same.

21
22 Per Permit Provision No. 1, the Water System is permitted to use Wells Nos. 1, 6, 7, 8, 9 and 10
23 as the only approved sources of supply. The Water System shall not add or change the source
24 of supply as authorized by a valid permit unless the Division approves the use of the source in
25 written form. On October 21, 2016, Tuolumne County Environmental Health Director, Mr. Robert
26 Kostlivy, was on site for a County inspection; when a BeZak water truck arrived to deliver a load
27 of water to the 100,000-gallon storage tank from Rush Creek Lodge. The truck driver notified

1 Mr. Kostlivy that multiple loads of water are hauled daily from Rush Creek Lodge to Evergreen
2 Lodge. On October 25, 2016, Mr. Kostlivy contacted the Division to verify that the hauling was
3 approved. The Division had not been notified of the continuous hauling; as September 28, 2016,
4 was the last time the Division approved the Water System to temporarily haul water. David
5 Sharp (former chief operator) notified the Division that the level in the 100,000-gallon storage
6 tank was at 16.5 feet and not recovering with the use of the Water System's wells. The Division
7 granted verbal approval to haul water once the tank level reached 15 feet (fire suppression
8 minimum level) until the tank was full. Since the approval on September 28, 2016 until June 5,
9 2017 the Water System has not been approved to haul water by the Division. However, the
10 Water System supplied the Division with invoices for the water deliveries in September and
11 October 2016. There were seven days of unapproved hauling of water from Rush Creek Lodge.
12 The Division had only granted approval for the Water System to haul water in the past with the
13 notification to the Division prior to delivery of water.

14
15 This was the second time in 2016 that the Division is aware that the Water System had used an
16 unapproved source. The Water System must at all times, prior to the use of an unapproved
17 source, notify the Division of the need and/or desire to haul water.

18
19 Additionally, the Water System has been unable continually to meet maximum day demand
20 (MDD) and peak hour demand (PHD). Section 64554 (a) (2) of the California Waterworks
21 Standards states that: "For Systems with less than 1,000 service connections, storage capacity
22 equal to or greater than MDD, unless the system can demonstrate that it has an additional
23 source of supply or has an emergency source connection that can meet the MDD requirement."
24 Tables 1 and 2 below are specify the individual source capacities based on initial pump test
25 data for the Water System's wells and the annual production, average day demand, maximum
26 day demand and peak day demand.

Table 1 – Initial Source Capacity

Source	Capacity (gpm)
Well No. 1	2
Well No. 6	25
Well No. 7	18
Well No. 8	7
Well No. 9	5
Well No. 10	5
Well No. 11	10*
Total Capacity	57

*Well No. 11 was granted conditional use based on the Water System running out of water during the summer of 2016. Well No. 11 is not a permitted source of supply.

Table 2 – Adequacy of Supply

Year	Annual Production (MG)	Purchased Water (MG)	Average Day Demand (gpm)	MDD (gpm)	PHD (gpm)
2016	4.19	0.49	7.95	17.89	26.84
2015	3.49	0.35	6.64	14.94	22.41
2014	3.48	0.081	6.62	14.90	22.35

Table 1 is based on the source capacity identified for each source in the 2015 permit, except for Well 11. The 2014 and 2015 EAR and the 2016 invoices for the hauled water are displayed in Table 2. According to the previous operator, the wells were only producing approximately 14 gpm in the summer 2016. The Water System has not been able to meet the MDD and PHD for the past 4 summers, this is a violation of section 64554 (a) (3); "Both the MDD and PHD requirements shall be met in the system as a whole and in each individual pressure zone." It

1 appears that due to the drought and hydraulic and topographic challenges, the wells have been
2 producing less than 25% of the estimated capacity; thus for the past three summers (and
3 presently) the Water System has had to haul water to meet maximum day demand.

4
5 Public notification to the consumers of the water system has not been conducted. Attachment C
6 is a copy of a public notice that the Water System may use to notify its customers/consumers.
7 This notice fulfills the Tier 2 notification requirements and includes the mandatory language.
8 Proof of notification is required.

9
10 On August 8, 2016, the Division met with Mr. Anderluh, Owner, and David Sharp to address the
11 source capacity issues. A letter dated September 6, 2016, documents that meeting and the
12 Division's requirement for a plan to be submitted to establish additional source capacity for the
13 Water System. The Division recommended that the Water System separate water for the
14 domestic system and water for fire suppression system. The Water System provided a response
15 to the Division's letter. The response indicated that the Water System was working through a
16 series of conservation measures and a hydraulic study of the sources, to find a more efficient
17 way to have all sources produce to their maximum potential. A goal to achieve additional source
18 capacity was set for July 2017. However, the Water System has been unsuccessful in this effort.

19 20 **DETERMINATION**

21 The Division has determined that the Water System failed to comply with CHSC, Section
22 116550(a), which specifies no person operating a public water system shall modify, add to or
23 change his or her source of supply or method of treatment of, or change his or her distribution
24 system as authorized by a valid existing permit issued to him or her by the Division unless the
25 person first submits an application to the Division and receives an amended permit. The Water
26 System failed to request the use of hauled water (unapproved source) to supply Evergreen
27 Lodge on seven days in September and October 2016. Permit Provision No. 1, which specifies

1 that Well Nos. 1, 6, 7, 8, 9 and 10 are the only permitted active sources for the Water System.
2 The use of hauled of water (unapproved source) without Division approval is a violation of this
3 permit amendment. The Division must be notified of the use of an unapproved source prior to it
4 being used in the Water System.

5
6 Additionally, the Division has determined that the Water System has failed to comply with
7 sections 64554 (a) (2) and (3) of the California Waterworks Standards, which requires all water
8 systems be able to meet the MDD and PHD with their own sources. The Water System has not
9 been able to meet MDD and PHD with their six sources during the summers of 2013, 2014,
10 2015, 2016 and 2017.

11 12 **PUBLIC NOTIFICATION REQUIREMENTS**

13 This violation is considered a use of an unapproved source violation and the inability to meet
14 water system demands, which requires public notification. Unapproved continuous daily use of
15 hauled water is considered an unapproved source. Public notification can be accomplished by
16 using one of the following methods using the attached template (Attachment B). Please read
17 this attachment and complete as needed:

- 18
19 • Hand deliver
- 20 • Post in restaurant, general store and other location where all customers have access to
21 read the notice.

22
23 Proof of notification is required. Please use Attachment C to provide this information and submit
24 to our office by July 31, 2017.

1 **PENALTY PURSANT TO HEALTH AND SAFETY CODE SECTION 116650**

2
3 Sections 116650(a) of the CHSC allows for the issuance of a citation for failure to comply with
4 the requirements of the California Safe Drinking Water Act, or any regulation, permit, standard,
5 citation, or order issued thereunder. Section 116650(d) and (e) allow for the assessment of a
6 penalty not to exceed one thousand dollars (\$1,000) per day for each day that a violation
7 occurs.

8
9 Despite the Division's efforts to work with the Water System, the Water System has failed to
10 comply with the provisions of its Domestic Water Supply Permit and the California Waterworks
11 Standards; due to the unapproved use of hauled water and failure to secure additional source
12 capacity to be able to meet the MDD and PHD. Therefore, the Division hereby assesses an
13 administrative penalty of ten thousand dollars (\$10,000.00) upon the Evergreen Lodge Water
14 System for failing to demonstrate that they are not able to meet MDD and PHD with their own
15 sources of supply. A plan and time schedule of how the Water System will secure additional
16 source capacity needs to be submitted by **July 31, 2017**. Additiona source capacity must be
17 added by December 31, 2017.

18
19 Directive No. 5 below describes the requirements for payment of the Penalty and conditions
20 under which the Division may waive the requirement to pay the penalty.

21
22 **DIRECTIVES**

23
24 The Water System is hereby directed to take the following actions:
25
26
27

1. By **July 31, 2017**, the Water System must provide Tier 2 public notice as required by CCR, Title 22, Section 64463.4. Notification procedures and format are provided in Attachment B. Proof of notification shall be provided to the Division by July 31, 2017, using the form provided in Attachment C.
2. By **July 31, 2017**, the Water System shall submit a written response to the Division acknowledging that it has received this citation and will comply with all of the directives listed herein.
3. By **July 31, 2017**, the Water System shall submit an adequate plan and time schedule to secure additional source capacity to meet MDD and PHD **by December 31, 2017**.
4. By **December 31, 2017**, the Water System shall be able to demonstrate that the additional source capacity provided is able to meet the MDD and PHD either by the addition of source capacity, reduction in usage or an increase in storage capacity.
5. Pay the Penalty of ten thousand dollars (\$10,000.00), within 90 days of **December 31, 2017**. Payment shall be made payable to the State Water Resources Control Board – Division of Drinking Water. Further instruction on submittal of the payment is provided in Attachment B, *Notice of Citation Issuance*.

If the Water System complies with Directives 1, 2, 3, and 4 before the penalty becomes due, and upon written request from the Water System, the Division will consider, at its sole discretion, terminating the requirement to pay the penalty.

1 The Division reserves the right to make such modifications to the Citation as it may deem
2 necessary to protect public health and safety. Such modifications may be issued as
3 amendments to this Citation and shall be effective upon issuance.
4

5 Nothing in this Citation relieves the Water System of its obligation to meet the requirements of
6 the California Safe Drinking Water Act or any regulation, standard, permit or order issued
7 thereunder.
8

9 All submittal required by this Citation shall be submitted to the Division at the following address:

10
11 Kassy Chauhan, P.E.
12 Senior Sanitary Engineer
13 State Water Resources Control Board
14 Division of Drinking Water
265 W. Bullard Avenue, Suite 101
Fresno, CA 93704

15 **PARTIES BOUND**
16

17 This Citation shall apply to and be binding upon the Evergreen Lodge Water System, its officers,
18 directors, agents, employees, contractors, successors, and assignees.
19

20 **SEVERABILITY**
21

22 The Directives of this Citation are severable, and the Evergreen Lodge Water System shall
23 comply with each and every provision thereof notwithstanding the effectiveness of any
24 provision.
25
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27

1 **FURTHER ENFORCEMENT ACTION**

2
3 The California SDWA authorizes the Board to: issue citation with assessment of administrative
4 penalties to a public water system for violation or continued violation of the requirements of the
5 California SDWA or any permit, regulation or order issued or adopted thereunder including, but
6 not limited to, failure to correct a violation identified in a citation or compliance order. The
7 California SDWA also authorizes the Board to take action to suspend or revoke a permit that
8 has been issued to a public water system if the system has violated applicable law or
9 regulations or has failed to comply with an order of the Board; and to petition the superior court
10 to take various enforcement measures against a public water system that has failed to comply
11 with an order of the Board. The Board does not waive any further enforcement action by
12 issuance of this citation.

13
14
15 6-28-2017
16 Date

17 
18 Carl L. Carlucci, P.E.
19 Supervising Sanitary Engineer, Region 3
20 DRINKING WATER FIELD OPERATIONS BRANCH

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ATTACHMENT A

Applicable Statutes and Regulations for Citation No. 03-11-17C-022 Use of an Non-Permitted Water Source and Inability to Meet Water System Demands

Section 116550 of the CHSC states in relevant part:

- (a) No person operating a public water system shall modify, add to or change his or her source of supply or method of treatment of, or change his or her distribution system as authorized by a valid existing permit issued to him or her by the Department unless the person first submits an application to the Department and receives an amended permit as provided in this chapter authorizing the modification, addition, or change in his or her source of supply or method of treatment

Section 116555(a)(1) of the CHSC states in relevant part:

- (a) Any person who owns a public water system shall ensure that the system does all of the following:
 - (1) Complies with primary and secondary drinking water standards.

Section 116650 (Citations) of the CHSC states in relevant part:

- (a) If the Division determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the Division may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).
- (e) The Division may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

Section 64556 (Permit Amendments) of the CCR states in relevant part:

- (a) An application for an amended domestic water supply permit shall be submitted to the State Board prior to any of the following:
 - (1) Addition of a new distribution reservoir (100,000 gallon capacity or greater) to the distribution system;
 - (2) Modification or extension of an existing distribution system using an alternative to the requirements in this chapter;
 - (3) Modification of the water supply by:
 - (A) Adding a new source;
 - (B) Changing the status of an existing source (e.g., active to standby); or
 - (C) Changing or altering a source, such that the quantity or quality of supply could be affected;

Section 64463.4 (Tier 2 Public Notice) of the CCR states in relevant part:

- (a) A water system shall give public notice pursuant to this section if any of the following occurs:
 - (1) Any violation of the MCL, MRDL, and treatment technique requirements, except:
 - (A) Where a Tier 1 public notice is required under section 64463.1; or
 - (B) Where the Department determines that a Tier 1 public notice is required, based on potential health impacts and persistence of the violations;
 - (2) All violations of the monitoring and testing procedure requirements in sections 64421 through 64426.1, article 3 (Primary Standards – Bacteriological Quality), for which the Department determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations;
 - (3) Other violations of the monitoring and testing procedure requirements in this chapter, and chapters 15.5, 17 and 17.5, for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations; or
 - (4) Failure to comply with the terms and conditions of any variance or exemption in place.
- (b) A water system shall give the notice as soon as possible within 30 days after it learns of a violation or occurrence specified in subsection (a), except that the water system may request an extension of up to 60 days for providing the notice. This extension would be subject to the Department's written approval based on the violation or occurrence having been resolved and the Department's determination that public health and welfare would in no way be adversely affected. In addition, the water system shall:
 - (1) Maintain posted notices in place for as long as the violation or occurrence continues, but in no case less than seven days;
 - (2) Repeat the notice every three months as long as the violation or occurrence continues. Subject to the Department's written approval based on its determination that public health would in no way be adversely affected, the water system may be allowed to notice less frequently but in no case less than once per year. No allowance for reduced frequency of notice shall be given in the case of a total coliform MCL violation or violation of a Chapter 17 treatment technique requirement; and . . .
- (c) A water system shall deliver the notice, in a manner designed to reach persons served, within the required time period as follows:

- (1) Unless otherwise directed by the Department in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by:
 - (A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and
 - (B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):
 1. Publication in a local newspaper;
 2. Posting in conspicuous public places served by the water system, or on the Internet; or
 3. Delivery to community organizations.
- (2) Unless otherwise directed by the Department in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give the public notice by:
 - (A) Posting in conspicuous locations throughout the area served by the water system; and
 - (B) Using one or more of the following methods to reach persons not likely to be reached by a public posting:
 1. Publication in a local newspaper or newsletter distributed to customers;
 2. E-mail message to employees or students;
 3. Posting on the Internet or intranet; or
 4. Direct delivery to each customer.

Section 64465 (Public Notice Content and Format) of the CCR states in relevant part:

- (a) Each public notice given pursuant to this article, except Tier 3 public notices for variances and exemptions pursuant to subsection (b), shall contain the following:
 - (1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);
 - (2) The date(s) of the violation or occurrence;
 - (3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;
 - (4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;
 - (5) Whether alternative water supplies should be used;
 - (6) What actions consumers should take, including when they should seek medical help, if known;
 - (7) What the water system is doing to correct the violation or occurrence;
 - (8) When the water system expects to return to compliance or resolve the occurrence;
 - (9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;
 - (10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: "Please share this information with all the other people who drink this water, especially those who may not have received this public notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail"; and
 - (11) For a water system with a monitoring and testing procedure violation, this language shall be included: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [compliance period dates], we [did not monitor or test] or [did not complete all monitoring or testing] for [contaminant(s)], and therefore, cannot be sure of the quality of your drinking water during that time."
-
- (c) Each public notice given pursuant to this article shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the water system to obtain a translated copy of the public notice or assistance in Spanish. For each non-English speaking group other than Spanish-speaking that exceeds 1,000 residents or 10% of the residents in the community served, whichever is less, the public notice shall:
 - (1) Contain information in the appropriate language(s) regarding the importance of the notice, or
 - (2) Contain a telephone number or address where such residents may contact the water system to obtain a translated copy of the notice or assistance in the appropriate language.
- (d) Each public notice given pursuant to this article shall:
 - (1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;
 - (2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and
 - (3) Not contain language that minimizes or contradicts the information being given in the public notice.

§64554. New and Existing Source Capacity

- (a) At all times, a public water system's water source(s) shall have the capacity to meet the system's maximum day demand (MDD). MDD shall be determined pursuant to subsection (b).
 - (1) For systems with 1,000 or more service connections, the system shall be able to meet four hours of peak hourly demand (PHD) with source capacity, storage capacity, and/or emergency source connections.
 - (2) For systems with less than 1,000 service connections, the system shall have storage capacity equal to or greater than MDD, unless the system can demonstrate that it has an additional source of supply or has an emergency source connection that can meet the MDD requirement.
 - (3) Both the MDD and PHD requirements shall be met in the system as a whole and in each individual pressure zone.
- (b) A system shall estimate MDD and PHD for the water system as a whole (total source capacity and number of service connections) and for each pressure zone within the system (total water supply available from the water sources and interzonal transfers directly supplying the zone and number of service connections within the zone), as follows:
 - (1) If daily water usage data are available, identify the day with the highest usage during the past ten years to obtain MDD; determine the average hourly flow during MDD and multiply by a peaking factor of at least 1.5 to obtain the PHD.
 - (2) If no daily water usage data are available and monthly water usage data are available:
 - (A) Identify the month with the highest water usage (maximum month) during at least the most recent ten years of operation or, if the system has been operating for less than ten years, during its period of operation;
 - (B) To calculate average daily usage during maximum month, divide the total water usage during the maximum month by the number of days in that month; and
 - (C) To calculate the MDD, multiply the average daily usage by a peaking factor that is a minimum of 1.5; and
 - (D) To calculate the PHD, determine the average hourly flow during MDD and multiply by a peaking factor that is a minimum of 1.5.

DRINKING WATER FIELD OPERATIONS BRANCH

NOTICE OF CITATION ISSUANCE
PENALTY

BACKGROUND STATEMENT

The State Water Resources Control Board, Division of Drinking Water, issued **Citation No. 03-11-17C-022** for the **Evergreen Lodge Water System** (Public Water System No. **5500089**).

This Citation carries a penalty of \$1,000.00 (one thousand dollars per day).

METHOD OF PAYMENT

Within 90 days of December 31, 2017, submit a check in the amount due made payable to:

SWRCB – Division of Drinking Water

and mail to:

**SWRCB Accounting Office
ATTN: Drinking Water Program Fees
P.O. Box 1888
Sacramento, CA 95812-1888**

(Please indicate the Citation Number on the Check)

(Attach Check Here)

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

Evergreen Lodge Used an Unapproved Source For Drinking Water and Cannot Meet Water Demands

Our water system recently violated our Water Supply Permit by using an unapproved source (Water Hauling) and not being able to meet all water system demands with the Water System's sources. **Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we are doing to correct this situation.**

What should I do?

- You do not need to use an alternative water supply (e.g., bottled water).
- This is not an emergency. If it had been, you would have been notified immediately. **What happened? What is being done?**

Evergreen Lodge began having water hauled from Rush Creek Lodge without the approval of the Division of Drinking Water. The Division became aware of the hauling events after it being reported to the Division.

For more information, please contact Brian Anderluh at (209) 379-2606 or at 33160 Evergreen Road, Groveland, CA 95321.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- Business Property Owners: Must notify employees of businesses located on the property.

This notice is being sent to you by Evergreen Lodge Water System.

State Water System ID#: 5500089. Date distributed: _____.



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

September 6, 2016

Mr. Brian Anderluh, Owner
Evergreen Lodge Water System
33160 Evergreen Road,
Groveland, CA 95321

Dear Mr. Anderluh,

RE: Plan for Establishing Additional Source Capacity For Evergreen Lodge (5500089)

On August 8, 2016, Kassy Chauhan and Shavonne Stallworth met with you and David Sharp, D1 Operator, about the source capacity concerns at Evergreen Lodge (Lodge) Water System. In the summer of 2013, 2014 and part of 2015, the Lodge has had to use hauled water from the Rush Creek Lodge storage tank to meet system demands. Each year, the Lodge has drilled a new well in an effort to increase the source capacity to meet demands. However, due to the drought conditions being experienced and the low yield of hard rock wells, the Lodge continued to need to haul water.

As a result of our meeting, a plan and time schedule of the Lodge's long-term plan to establish and maintain source capacity was requested by the Division. Items such as additional conservation by having a laundry service for linens, additional storage for fire suppression, and a new well were discussed as potential methods of maintaining and/or establishing additional source capacity. The Division recommends additional storage for fire suppression to provide the entire volume of the 100,000-gallon tank for the drinking water system. By **October 31, 2016**, the Lodge needs to submit a plan and time schedule of the Lodge's long-term plan to establish and maintain source capacity.

If you have any questions or comments about this letter, please contact Shavonne Stallworth at (559) 447-3306.

Sincerely,

Kassy D. Chauhan, P.E.
Senior Sanitary Engineer
Merced District
Central California Section
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

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COMPLETED BY: SKB
NO COPIES, SCAN, EMAIL NEEDED PER

cc: Tuolumne County Environmental Health Department